

THE TOPEKA LEGISLATURE.

The few factions politicians calling themselves the free-State legislature of Kansas are again at work at Topeka under the leadership of Robinson and Lane, doing all they can to obstruct the legally-constituted authorities of the Territory in the execution of their duty, and to defeat the wise and equitable measures that have been taken for the adoption by the people of a State constitution. Governor Robinson has transmitted his message, in which he recommends an immediate and thorough organization of the State government, (by the Topekaites of course) declares the Topeka constitution the only clear expression of the popular will of Kansas; pronounces it impossible for free-State men to vote at what he terms the "bogus election," and expresses his determination "to maintain the position of resistance to usurped authority at all hazards and at all times." In short, the "governor" and the "legislature" endorse fully the resolutions adopted some weeks ago by the Topeka convention. To those who read them without the superior light of their framers, these resolutions appear to cast one of three equally discreditable imputations upon the Topekaites. First, that they do not constitute "three-fifths of the entire population of the Territory," as they have always boasted; second, that they have not the courage to express their opinions; or, third, that they cannot afford to deprive themselves and the party with which they are identified of the political capital which Kansas citizens have furnished so abundantly. They say in the first of these resolutions that "the people (that is, the Topekaites) of Kansas Territory cannot participate in any law without compromising their rights as American citizens, sacrificing the best interests of Kansas, and jeopardizing the public peace." If they admit that the form, place, and time of election of members to frame a State constitution should be regulated in a suitable manner, it is hard to see how a compliance with these regulations compromises any rights of an American citizen, or how, by a refusal to vote at all, those rights, the interests of the country, and the public peace are better protected and preserved than by the mainly assertion of the most valuable privilege a freeman possesses, in the manner provided by law. The Topekaites do not mean this. They rather consider that all regulations and legal restrictions as to the manner in which the election shall be held, and as to who shall take part in it, are unnecessary and objectionable. This was also the opinion of Dorr and his adherents, and they are generally regarded as rebels. The second of the Topeka resolutions gives a further insight into the argument against the possibility of the "free-State" men voting at the legally-appointed election. It says:

"Having suffered under the misrule of persons pretending to be legal officials of the Territory, we have lost all confidence in their integrity in the administration of the laws, hence just those laws may appear on their face."

If this means anything, it is that, because former officials of the Territory may have been to blame, and may have passed objectionable laws, the present officials, who act equitably and wisely, and are determined to protect citizens of all parties in the free expression of their opinions, are not entitled to obedience; but, on the contrary, are to be resisted "at all times and at all hazards." If this is not treason it certainly is rebellion. The third resolution enunciates an entirely new principle of government, and at variance with the generally-received opinions of constitutional law. It says:

"That with the people of any Territory alone rests the right to change the form of their government, subject to the approval of Congress, given before or after steps for a State government have been taken; and further, that a territorial government is extra-constitutional, and, at best, under ordinances of Congress, purely temporary."

The obvious construction of this, that utterly irrespective of the existing government, and of all law, it is allowable for a portion of the inhabitants of a Territory to constitute themselves "the people," and change the government, whenever, wherever, and however they please, provided Congress gives previous or subsequent sanction to their proceedings. They are to count themselves judges of their own qualifications, and, having satisfied themselves that they are "the people," proclaim the fact and organize a "government." If this reasoning were correct, there might be any quantity of governments, all equally legal and binding, and worthy of respect. A thousand persons might assemble at Topeka, call themselves the people, and being satisfied of the fact, vote for a particular form of government. Another thousand might meet at Leavenworth; another thousand or fifteen hundred at Shawnee; and so on, until the entire population was exhausted, and they might honestly believe themselves the people, and each adopt a separate government, "subject to the approval of Congress." But what could Congress do? They must repudiate all such pretended governments, and consider the action of the various sections calling themselves the people as pure anarchy and tumult. The process of ascertaining the will of the people of a Territory is clearly defined, and is only legally possible by the local authorities constituted by the general government in the manner prescribed by the constitution. The proper measures have been taken by the territorial government of Kansas to hold the election for members of a constitutional convention; but "the free-State men" refuse to comply with them, and declare, in their fourth resolution, that the Topeka convention is the people, and the Topeka constitution the form of the State government which Congress is bound to adopt. The following is the resolution:

"Resolved, That the constitution framed at Topeka by the representatives of the people of Kansas, and ratified by popular vote, is still the choice of a majority of our citizens as the form of our State government, and that we maintain it, and urge on Congress our immediate admission as a State under it."

Congress must have greater faith than we have in the mere assertion of the Topekaites if they believe that they are the representatives of the people of Kansas, or that their constitution was "ratified by popular vote." The Topekaites, however, say that their constitution is the only constitution, and that Congress ought to admit them at once as a State under its provisions. They declare that "we maintain it,"—that is, that they will persist in asserting that their constitution, adopted without the sanction of law or authority, is to override and annul that which a convention properly assembled in obedience to the territorial law may adopt. It is needless to say which of the two Congress must adopt; that which emanates from a few political demagogues and their misguided followers, acting in defiance of the constitution, or that which has been prepared by the persons duly elected for that purpose, and adopted in strict observance of the plain provisions of the law.

The absurdity and the imposture of the Topekaites and their resolutions is so palpable that we hope confidently that many free-State men will not be deceived by their arguments, or suffer themselves to be made the tools of a faction to the prejudice of their own interests and tranquility.

MORE ABOLITION NONSENSE IN KANSAS.

The silly, senseless, reckless policy adopted by the abolition leaders in Kansas, is naturally exciting, exciting the ridicule and contempt of northern as well as southern people. These leaders, when they met at Topeka, immediately after the adjournment of the Topeka legislature, and resolved that they would have nothing to do with the decision of a constitutional convention, merely proved themselves to be either cowards or traitors. They had boasted of their numerical strength and of their prowess in the field. They had shown, only some six months before, by attacking, pillaging, and burning peaceable settlements, that they were not over-anxious in regard to the peace of the Territory. What, then, could have been their motive in refusing to participate in the election of a convention? What but to betray their cause, that a triumph on the part of their opponents might be made an apology for another resort to lawless warfare, and another excitement at the North?

They refused to assist in making up a registry of the voters, and did everything in their power to obstruct and

prevent the taking of the census. In this way they succeeded in disfranchising two or three counties; and of course howled over the accomplishment of their purpose as an "outrage" inflicted upon them by their enemies! But the howling did not have the desired effect. Intelligent and candid people saw that they were in the wrong. They saw that the lists of voters, in spite of all the opposition which had been offered to the census-takers, were tolerably perfect—that notwithstanding the dictation of the Topeka leaders, a great many free-State men had placed their names upon the registry; and that the industry of the territorial officers, in searching out the names and residences of voters, had accomplished very much which they had intended to prevent. The names of upwards of nine thousand voters were found upon the lists!—and, as conclusive proof that fraud had not been resorted to, the fact stood out that the greatest increase of voters was in those free-State localities, remote from Missouri, where people from that State would not be likely to claim the privilege of voting!

Well, this stood Kansas affairs—the abolition leaders convicted of the most shameful mismanagement, to say the least of it, two or three weeks ago. What was to be done? Of course, something must be. If nine thousand legal votes should be cast at the June election, it would be folly to attempt to convince the people of the North that the free-State men had not voted. So Jim Lane and a few sympathizers determined to call another convention at Topeka; and Robinson, who had once resigned the office of governor, and afterwards taken it up again, as though it were a pair of breeches, to be put on and taken off at his pleasure, called a session of the Topeka legislature, the State legislature elected by the abolitionists under the Topeka constitution. The convention met on the 17th instant; resolved to have nothing to do with the coming election; denounced, in advance, all who should consent to serve as delegates, or in any way take part in the struggle; and, after delivering its address, adjourned by endorsing that infamous, the Topeka constitution, which received on its adoption, but about 1,300 votes, demanding admission into the Union under the said constitution, and advising the "State legislature" to go ahead and fix things, took a recess. The legislature met on the 9th; and the papers say that a quorum was not present. But this fact does not seem to have delayed business in the least. A senator was elected in place of the vacant Colonel Lane; and the "law-making power," backed by the convention, went to work to organize the government, arrange county machinery, and "complete the civil code." It is still at work, we suppose; and very soon we shall hear that it has taken steps to bring about a collision with the territorial authorities.

There can be no doubt as to the purposes of these fanatics. They mean to try their hands once more at rebellion. We think they will accomplish their purpose, so far as to get themselves into trouble; but we are confident that they will not succeed in disturbing the peace of the Territory for any great length of time. The moment they attempt to enforce their sham State laws, or offer forcible resistance to those of the Territory, they will find themselves in uncomfortably hot water. They have had enough of persuasion—enough of warning. All that reasonable men could ask has been freely granted to them. Those of their number who have been found in arms against the government have been liberated from prison, as a step towards conciliation and permanent peace by those having the control of the government. Laws which they objected to with any show of reason have been repealed. Everything has been done that possibly could be done to relieve them from actual or imaginary wrongs, and restore their good nature. At present they show a disposition to spurn every offer of peace. We think they can have war, if they want it; but they may rest assured it will not last long. The President is determined that the laws shall be enforced, and they will be enforced if the government is strong enough to enforce them. Mere talk is harmless; and Governor Robinson will be allowed to write as many messages, and his humbug legislature will be allowed to pass as many laws, as may suit their tastes. But the moment another attempt is made to obstruct the legal government of the Territory, these traitors to their country and to the interests of Kansas will find themselves involved in difficulties which they evidently have not bargained for. We mistake the temper of Gov. Walker if he allows them to carry their joke an inch further than they have already carried it. We certainly hope he will punish the first overt act of rebellion with all the severity which the law provides, and with the promptness which may reasonably be expected of an efficient and energetic officer, dealing with reckless adventurers who have spurned with insult every offer of honorable friendship and peace.

THE SUZ CANAL.—The report of the international scientific commission, appointed by the Viceroy of Egypt to inquire and report as to the feasibility of uniting the waters of the Mediterranean and the Red sea by means of a canal, has been recently published, and is eminently worthy of attention, as well because it is strongly in favor of the projected canal, as from the amount of valuable and interesting information which it affords incidentally. Two eminent civil engineers from England, Messrs. Rendel and McClean; Capt. Harris, from British India; the minister of public works from Sardinia; the inspector general of railways from Austria; the chief engineer of the French navy; the leader of the water-staff from Holland; and the director-in-chief of the public works from Spain, composed the commission; and after a careful survey of the isthmus, and a deliberate examination of the various projects and routes which have been proposed from time to time, they have decided that it is possible, at an expense of about \$40,000,000, to construct a canal from Suez strait across the desert to the nearest point of the Mediterranean, (Pelusium) through which ships of the largest tonnage may pass from sea to sea. It was thought at first that the best line for the canal would be from Suez in the direction of the old Pharaoh canal, to join the Nile at Cairo, a distance of upwards of 250 miles; but it is now ascertained that the direct route, which does not exceed 100 miles in length, and does not include any portion of the Nile, is the best, and presents fewer engineering difficulties. Should this project be carried out, it is calculated that it will shorten the distance from New York to Bombay nearly 7,000 miles; that from London to Bombay upwards of 8,000; and from Manchester 9,000; from St. Petersburg, 7,000; and from Constantinople, 12,000 miles. The immense commercial advantages of this diminished distance between the East Indies and the great mercantile marts of the world, the impetus it will give to enterprise and trade, and the civilizing effect it will have upon the unenlightened nations of the eastern world, are self-evident. As a mere pecuniary investment, it is calculated by persons favorable to the enterprise that it will yield upwards of 10 per cent. on the total outlay, after deducting all the necessary running expenses. The tonnage likely to pass through the canal is estimated at not less than 3,000,000 tons per annum, which, charged at the proposed rate of ten francs per ton, would yield an annual revenue of \$6,000,000.

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FATAL ACCIDENT.

As the down train on the Boston, Concord, and Montreal railroad was passing Woburn, on the Lowell railroad, about six o'clock, on Saturday afternoon, one of the brakemen, in attempting to pass from the baggage car to the tender, was struck by a bridge and fell on the wood on the tender. As he fell, he struck upon the bell-rope, setting it in motion, and causing it to pull forth his own party knell; for, though he was immediately taken up and brought to the city, he died in about half an hour after reaching the hospital.

He was identified as being one of the six months before, by attacking, pillaging, and burning peaceable settlements, that they were not over-anxious in regard to the peace of the Territory. What, then, could have been their motive in refusing to participate in the election of a convention? What but to betray their cause, that a triumph on the part of their opponents might be made an apology for another resort to lawless warfare, and another excitement at the North?

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LOCAL NEWS.

COMMITTEES OF THE CITY COUNCIL.—The following list was, owing to the pressure of other matter, necessarily omitted in our issue of yesterday:

In the Board of Aldermen on Monday the chair announced the standing committees for the ensuing year, as follows:

On Finance.—Messrs. Riggs, Houston, and Donohoe.
On Improvements.—Messrs. Miller, Moore, and Smith.
On Police.—Messrs. Moore, Barry, and Ensey.
On Claims.—Messrs. Dove, Barry, and Pearson.
On Schools.—Messrs. Donohoe, Riggs, and Ruff.
On Fire Department.—Messrs. Barry, Miller, and Evans.
On Elections.—Messrs. Moore, Dove, and Clarke.
On Unfinished Business.—Messrs. Donohoe, Houston, and Clarke.

In the Board of Common Council the president announced the following standing committees:

On Ways and Means.—Messrs. Brown, Fisher, Turton, Kennedy, Wallace, Hutchinson, and Knight.
On Improvements.—Messrs. Turton, Orme, O'Hare, Edmondston, French, Gordon, and Lloyd.
On Claims.—Messrs. Kennedy, Clark, and Orme.
On Unfinished Business.—Messrs. Jefferson and Poulton.
On Elections.—Messrs. Clark, Mulloy, and Hutchinson.
On Police.—Messrs. Clark, Mulloy, Jefferson, Waters, O'Hare, Crandell, and Poulton.
On Canals.—Messrs. Waters, Tree, Edmondston, French, Crandell, and Lloyd.
On Public Schools.—Messrs. Tree, Jefferson, Waters, Edmondston, French, Gordon, and Lloyd.
On Fire Department.—Messrs. Fisher, Mulloy, and Gordon.

On Drainage and Water.—Messrs. Brown, Turton, Jefferson, Kennedy, Wallace, Gordon, and Knight.

The following are the joint committees:

Committee on the Asylum.—Messrs. Moore, Donohoe, Ruff, Jefferson, Turton, Wallace, and Knight.
On the Health of the City.—Messrs. Miller, Dove, Houston, Jefferson, Wallace, and Gordon.
On the Drainage of the City.—Messrs. Dove, Evans, Waters, and Lloyd.
On Money Transactions of the City.—Messrs. Riggs and Brown.
To Count and Destroy Due Bills.—Messrs. Dove and Edmondston.
On Wharves.—Messrs. Donohoe, Ruff, Waters, Orme, and Lloyd.
On Registers' Accounts.—Messrs. Barry and Kennedy.
On Enrolled Bills.—Messrs. Moore and Crandell.
On Eligibility of Assessors.—Messrs. Dove, Barry, Pearson, Clark, French, Mulloy, and Hutchinson.

The Board of Common Council have appointed, on their part, as the committee to attend to the interests of the corporation before Congress, Messrs. Brown, Clark, Fisher, and Knight.

THE CHESAPEAKE AND OHIO CANAL.—Already we have cheering news from that line. In consequence of which great satisfaction is expressed by our business men. A letter has been received in Alexandria, dated the 19th inst., from which we learn that the repairs at dam No. 3 have been recommenced under the direction of Eli Staker, Brown, Hassett, and Stone, contractors. Mr. Staker says that the dam will be ready for the passage of boats in two or three weeks.

In connection with the above, we will remark that the president of the canal board has secured, by application to the War Department, the services of Captain M. C. Meigs, who will probably proceed at once to the scene of operations.

In short, the whole aspect of affairs has been changed within a few days past, and the public may again indulge the hope that the Chesapeake and Ohio canal will shortly be in good boating order.

IMMENSE BLOCKS.—The Baltimore Sun of yesterday morning says:

"The largest blocks ever made in this country for hoisting purposes are now at the establishment of Cathcart & Brother, Fell's Point, which were made for the hoisting of the heavy iron columns of the Capitol extension, and will sustain a weight of forty-five tons. There are four tackle blocks and four levers, the former of which weigh 500 pounds each, and the latter 200 pounds each. Each of the large blocks is supplied with three cast-iron sheaves, one foot in diameter and three inches thick, running on a steel shoulder-pin two inches in diameter. They are steepled with 94-inch Russia cable, and the thimbles are one foot in diameter on the inside. The fall rope is eight inches in circumference."

SCHOOL EXAMINATIONS.—The primary school examinations yesterday were quite interesting, and the improvement of the scholars was quite marked. A large number of visitors were in attendance, thus giving unmistakable proof of the interest which is felt by our citizens in the progress of education. Subjoined is a list of the schools which will be examined to-day, commencing at 3 o'clock, p. m.:

Miss McCarthy's, No. 3, 2d district; Miss Billings's, No. 4, do.; Miss Moss's, No. 4, 3d district; Miss Simons's, No. 5, do.; Mrs. Freeman's, No. 6, do.

REAL ESTATE SALES.—By J. C. McGuire, yesterday afternoon, lot 16, in square 184, in the vicinity of Mr. Corcoran's residence, for 10 cents per square foot, to C. Alexander. Also, part of lot 11, in square 514, fronting 20 feet on 5th street west, between L and M streets north, for 20 cents per foot, to W. P. Webb.

By A. Green, yesterday afternoon, lot 2, in square 568, containing 3,000 square feet, for 48½ cents per foot, to William Thomas.

THE NEW CRUISE.—We thought, a short time ago, that mothers and nurses in this city had more sense than to give the little ones the new coin for a plaything; but we were premature in the expression of the opinion, for an infant on Saturday swallowed one of the pieces. It was, however, relieved of the "currency" by the aid of a physician; otherwise the child would itself, probably, have passed away to a happier home.

CASE.—FENNIS.—We see, by the police record, that a man named Ches has been committed to jail for an assault. During the present term of the criminal court, several persons, as accused or witnesses, answered to the name of Pennis. To say the least, they are bad coin circulating in the community.

HEBRIINGS. once considered common food, because of their cheapness, now hold a respectable place in the list of prices current. The "Potomac robins" are now quoted at from twenty to thirty-one cents a dozen, about the price of twelve eggs.

THE PANEL JURORS have been discharged in the criminal court until Friday next: the attendance of witnesses before the grand jury being so slack, it is said, as to prevent the latter from supplying a full head of work for the former.

THE FORCE OF THE HAIL.—It is stated by officers at the Capitol that several holes were made by the hail through the copper roofing of the Capitol building. A similar statement is made with reference to the railroad depot, the hail stones having penetrated the zinc roof of that building.

PERSONAL.—Gen. Persifer F. Smith, of the United States army, has arrived in this city, and is stopping at Willard's Hotel.

Hon. Wilson Kelley, of Pennsylvania, has arrived in this city, and has taken rooms at the Kirkwood House.

THE BELGIAN PATENT.—We understand that this admirable pavement will shortly be thoroughly tested, the Secretary of the Interior and others having promised to be in attendance.

An adjourned meeting of the National Democratic Association will be held in Temperance Hall (this Wednesday) evening, June 24th, at 8 o'clock.

H. F. PAGE, Recording Secretary.

June 24—1st

Office of the Magnetic Telegraph Company.

London, England, Philadelphia, June 22, 1857.

THE annual meeting of stockholders of "The Magnetic Telegraph Company" for the closing year of the company, to serve for the coming year, and for the transaction of business, will be held at the office of the company, 137, at 12 o'clock, m., on Saturday, the 29th day of June, 1857, at 12 o'clock, m., on said day.

June 24—1st

JOSEPH LATHROP, Secretary.

BY TELEGRAPH.

One Week Later from Europe.

New York, June 23.—The royal mail steamer Persia, Capt. Jenkins, arrived here early this morning, having left Liverpool on the 13th. The Asia arrived out on the 8th, and the Arago on the 11th.

The news by the Persia is generally unimportant. Douglas Jerrold is dead.

There has been an influential meeting at Liverpool in aid of the movement for an increased supply of cotton.